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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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UNITED STATES OF AMERICA,

CASE NO. CR02-280-TSZ

Plaintiff,

v.

KENNETH R. MARTINSON,

Defendant.

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

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INTRODUCTION

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I conducted a hearing on alleged violations of supervised release in this case on March 10, 2006. The United States was represented by Sarah Vogel. The defendant was represented by Brian Tsuchida.. The proceedings were recorded on disk.

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CONVICTION AND SENTENCE

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Defendant had been convicted of Manufacturing Marijuana on or about April 11, 2003. The Hon. Thomas S. Zilly of this Court sentenced Defendant to one month of custody followed by 6 months of home confinement.

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The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

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DEFENDANT'S ADMISSION

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USPO Brian Facklan alleged that Defendant violated the conditions of supervised

1 release in one respect:

2 (1) Using cocaine on or before January 10, 2006, in violation of standard
3 condition number 7.

4 I advised the defendant of these charges and of his constitutional rights. At today's hearing
5 Defendant admitted the violation, waived any hearing as to whether it occurred, and
6 consented to having the matter set for a disposition hearing before the Hon. Thomas S.
7 Zilly.

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9 RECOMMENDED FINDINGS AND CONCLUSIONS

10 Based upon the foregoing, I recommend the court find that Defendant has violated the
11 conditions of his supervised release as alleged; and set the matter for a disposition hearing.

12 Defendant has been detained pending a final determination by the court.

13 DATED this 13 day of March, 2006.

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MONICA J. BENTON

United States Magistrate Judge

cc: Sentencing Judge : Hon. Thomas S. Zilly
Assistant U.S. Attorney : Sarah Vogel
Defense Attorney : Brian Tsuchida
U. S. Probation Officer : Brian Facklan